

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF GEORGIA
AUGUSTA DIVISION**

IN RE:

CASE NO.: 23-10300-SDB

CHAPTER 13

**Ray Anthony McKenzie, Jr.,
and
Natasha Ann McKenzie,
fka Natasha A. Leopard,**

Debtors,.

_____ /

OBJECTION TO CONFIRMATION OF DEBTORS' CHAPTER 13 PLAN

USAA Federal Savings Bank ("Secured Creditor"), by and through its undersigned counsel, objects to confirmation of Debtors' Chapter 13 Plan (DE #3), and states as follows:

1. Debtors, Ray Anthony McKenzie, Jr. and Natasha Ann McKenzie, filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on April 24, 2023.
2. Secured Creditor holds a security interest in the Debtors' personal property described as a 2020 Kia Telluride (VIN # 5XYP64HC9LG082330), by virtue of a Note, Disclosure and Security Agreement – Nonnegotiable Promissory Note dated June 23, 2022. Said Contract secures a Note in the amount of \$ 36,690.30. The Addendum to the Contract is dated June 27, 2022.
3. Secured Creditor has filed a Proof of Claim in this case on May 12, 2023, Claim No. 9-1.
4. The filed Proof of Claim shows the total amount owed of \$30,285.49 and arrears of \$0.00.
5. The Debtors filed an Initial Chapter 13 Plan on April 26, 2023.
6. Debtors' Plan proposes to value to collateral at \$30,000.00 at 8.00% interest rate. However, the debt was incurred within 910 days purchasing the collateral. Debtors' Plan proposes an interest rate of 2.72%. Secured Creditor objects to the treatment.
7. The Plan does not appear feasible due to the failure to provide treatment of Secured Creditor's claim. Thus, the plan violates the provisions of 11 U.S.C. § 1325(a)(3) and cannot be confirmed.

WHEREFORE, Secured Creditor respectfully requests this Court sustain the objections stated herein and deny confirmation of Debtors' Plan, and for such other and further relief as the Court may deem just and proper.

Date: May 22, 2023

**Robertson, Anschutz, Schneid, Crane
& Partners, PLLC**

/s/ Andrea L. Betts

Andrea L. Betts

Georgia Bar # 432863

13010 Morris Rd., Suite 450

Alpharetta, GA 30004

Telephone: 470-321-7112

Fax: 404-393-1425

Email: abetts@raslg.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 22, 2023, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system, and a true and correct copy has been served via CM/ECF or United States Mail to the following parties:

Ray Anthony McKenzie, Jr.
204 Langston Drive
Grovetown, GA 30813-4132

Natasha Ann McKenzie
204 Langston Drive
Grovetown, GA 30813-4132

Lee Ringer
Lee Ringer Law Offices
1450 Greene Street
Suite 222
Augusta, GA 30901

Huon Le
P.O. Box 2127
Augusta, GA 30903

Office of the U. S. Trustee
33 Bull Street, Suite 400
Savannah, GA 31401

**Robertson, Anschutz, Schneid, Crane
& Partners, PLLC**

/s/ Andrea L. Betts
Andrea L. Betts
Georgia Bar # 432863
13010 Morris Rd., Suite 450
Alpharetta, GA 30004
Telephone: 470-321-7112
Fax: 404-393-1425
Email: abetts@raslg.com